

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: WORLD TRADE CENTER LOWER MANHATTAN  
DISASTER SITE LITIGATION

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THOMAS COSTELLO AND TERRI COSTELLO,

Plaintiff(s), Index No.: 07CV05345

-against-

**NOTICE OF ADOPTION**

ALAN KASMAN DBA KASCO, ANN TAYLOR  
STORES CORPORATION, BATTERY PARK  
CITY AUTHORITY, BLACKMON-MOORINGSTEAMMA'  
CATASTOPHE, INC. D/B/A BMS  
CAT, BROOKFIELD FINANCIAL PROPERTIES,  
INC., BROOKFIELD FINANCIAL PROPERTIES,  
LP, BROOKFIELD PARTNERS, LP,  
BROOKFIELD PROPERTIES CORPORATION,  
BROOKFIELD PROPERTIES HOLDINGS INC.,  
ENVIROTECH CLEAN AIR, INC., GPS  
ENVIRONMENTAL CONSULTANTS, INC.,  
HILLMAN ENVIRONMENTAL GROUP, LLC.,  
INDOOR ENVIRONMENTAL TECHNOLOGY,  
INC., KASCO RESTORATION SERVICES CO.,  
MERRILL LYNCH & CO, INC., NOMURA  
HOLDING AMERICA, INC., NOMURA  
SECURITIES INTERNATIONAL, INC.,  
STRUCTURE TONE (UK), INC., STRUCTURE  
TONE GLOBAL SERVICES, INC., TOSCORP  
INC., WESTON SOLUTIONS, INC., WFP  
TOWER B CO. G.P. CORP., WFP TOWER B  
HOLDING CO., LP, AND WFP TOWER B. CO.,  
L.P., ET AL,

**1:21-MC-00102-AKH**

Defendant(s).

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**C O U N S E L O R S :**

PLEASE TAKE NOTICE that Defendant, HILLMANN ENVIRONMENTAL GROUP, LLC, (hereinafter HILLMANN) as and for it's response to the allegations set forth in the Complaint by adoption or Check-Off Complaint related to the Master Complaint filed herein and applicable to the above captioned matter hereby adopts all of the responses and all of the affirmative defenses contained in the Answer to the Master Complaint dated, filed and served

August 2, 2007, *In re World Trade Center Lower Manhattan Disaster Site Litigation*, 21MC 102 (AKH). The responses to all of the allegations in the Master Complaint are adopted herein and are applicable to the Check-Off Complaint served and filed herein. Defendant, HILLMANN, also adopts the responses contained in any Amended Answer filed and served herein.

PLEASE TAKE FURTHER NOTICE that Defendant, HILLMANN, reserves the right to serve and file an amended answer and specifically reserves the right to interpose a cross claim against any and all co-defendants.

PLEASE TAKE FURTHER NOTICE that Defendant, HILLMANN, also adopts all affirmative defenses and the jury demand herein.

WHEREFORE, Defendant, HILLMANN, demands judgment dismissing the above captioned action against it along with the costs and disbursements of this action.

Dated: White Plains, New York  
September 11, 2007

Yours, etc.,

**SAM ROSMARIN, PLLC**



By: \_\_\_\_\_  
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**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK: COUNTY OF WESTCHESTER:

Cristina A. Villani, being duly sworn, says, I am not a party to the action, am over 18 years of age and reside at White Plains, New York.

On September 11th, 2007 I filed with the USDC pursuant to ECF filing instructions under Case No.: 1:21-mc-00102-AKH and emailed a true copy of the annexed DEFENDANT HILLMAN ENVIRONMENTAL GROUP LLC NOTICE OF ADOPTION by electronic mailing the same to the following parties at their last known electronic mailing address:

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All parties indicated on the  
**SERVICE RIDER**



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Cristina A. Villani

Sworn to before me this  
11th day of September 2007



Charlene S. Rogers  
Notary Public  
No. 01RO 4703494  
Qualified in Westchester County  
Commission Expires 11/30/09